

The resolution (S. Res. 282) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

AMENDING THE SARBANES-OXLEY ACT OF 2002

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2184 introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2184) to amend the Sarbanes-Oxley Act of 2002 to institute a trading prohibition for certain issuers that retain public accounting firms that have not been subject to inspection by the Public Company Accounting Oversight Board, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2184) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 2184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRADING PROHIBITION FOR 2 CONSECUTIVE NON-INSPECTION YEARS.

Section 104(i) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214(i)) is amended—

(1) in paragraph (2)(A)(ii), by striking "the foreign jurisdiction described in clause (i)" and inserting "a foreign jurisdiction"; and

(2) in paragraph (3)—

(A) in the paragraph heading, by striking "3" and inserting "2"; and

(B) in subparagraph (A), in the matter preceding clause (i), by striking "3" and inserting "2".

UNANIMOUS CONSENT AGREEMENT—S. 1251

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that at a time to be determined by the majority leader following consultation with the Republican leader, the Senate proceed to the immediate consideration of Calendar No. 74, S. 1251; that the only amendments in order be the following: Lee amendment No. 2119.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VAN HOLLEN. Madam President, I further ask unanimous consent that there be 2 hours for debate equally divided on the bill; that upon the use or yielding back of time, the Senate vote on the Lee amendment; that the bill be considered read a third time; the Senate vote on passage of the bill, as

amended, if amended; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 115.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Ali Nouri, of the District of Columbia, to be an Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

Thereupon, the Senate proceeded to consider the nomination.

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the Senate vote on the nomination without intervening action or debate, and if confirmed, the motion to reconsider be considered made and laid upon the table, all without intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Nouri nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

NOMINATION OF KENNETH ALLEN POLITE

Mr. GRASSLEY. Madam President, I intend to object to any unanimous consent request relating to the nomination of Kenneth Allen Polite to be an Assistant Attorney General at the Department of Justice, PN423.

Last week, at the Senate Judiciary Committee's Executive Business Meeting, I noted my intent to object to Mr. Polite's confirmation not on the basis of his credentials—I happen to find him well qualified for the position—but on the basis of the Justice Department's failure to respond to congressional oversight requests.

To date, the Justice Department has failed to provide a full and complete response to any of my oversight requests.

As one of many examples, on February 3, 2021, and March 9, 2021, Senator JOHNSON and I requested informa-

tion from the Justice Department relating to Nicholas McQuaid. Mr. McQuaid is Acting Assistant Attorney General for the Criminal Division, the position Mr. Polite will hold upon confirmation. In those letters, we raised concerns about potential conflicts of interest in light of the fact that Mr. McQuaid was employed at Latham & Watkins until January 20, 2021, and worked with Christopher Clark, whom Hunter Biden reportedly hired to work on his Federal criminal case.

This arrangement presents a potential conflict of interest. A core function of congressional oversight is to ensure that governmental Departments and Agencies are free of conflicts of interest. That is especially so with the Justice Department and FBI. If conflicts infect them, those investigations and prosecutions—the very purpose of the Department's existence—could be undermined.

As a part of my oversight, I have requested a recusal memo for Mr. McQuaid. I have also requested to know, as a threshold issue, whether one even exists.

Attorney General Garland has failed to answer and provide the requested records. I have noted to the Department that in 2016 I received from the Department Andrew McCabe's recusal memo to illustrate precedent exists for such a production to Congress. Still, the Justice Department refuses to provide the same for Mr. McQuaid.

There is nothing more eroding of public faith than an unresponsive executive branch that believes it only answers to the President and not the U.S. Congress and, perhaps most importantly, "we the people."

This administration's continued ongoing and blatant lack of cooperation has forced my hand. Thus, unfortunately, I must object to any consideration of this nomination. My objection is not intended to question the credentials of Mr. Polite in any way. The executive branch must recognize that it has an ongoing obligation to respond to congressional inquiries in a timely and reasonable manner.

ADDITIONAL STATEMENTS

RECOGNIZING THE 100TH ANNIVERSARY OF BAPTIST HEALTH

● Mr. BOOZMAN. Madam President, I rise today to recognize Baptist Health of Arkansas's centennial—a significant and commendable milestone.

Today, Arkansans are gathering to celebrate this institution and its staff that have been dedicated to providing exceptional faith-based healthcare to its patients, strengthening communities through compassionate service, and continuously responding to the ever-changing health needs of Arkansans.

On February 16, 1921, the Arkansas Baptist State Convention incorporated Baptist State Hospital to ensure Arkansans had access to quality, faith-